

Kansas Department of Aging and Disability Services HCBS Final Rule Onsite Assessment Workgroup

Background:

The Center for Medicare and Medicaid Services, known as CMS, has made changes to its requirements for home and community based services. The new final rule (42 CFR 441.301), effective March 17, 2014, requires states to evaluate their HCBS settings to meet the new rule's definition. The new Final Rule affects all HCBS settings (residential and nonresidential) that are controlled, owned and operated by providers in which individuals receive home and community based services through the Autism, Frail Elderly, Intellectual and Developmental Disabilities, Physical Disability, SED, Traumatic Brain Injury, and Technology Assisted Programs.

To ensure compliance with the new rules, KDADS requested all providers who own, operate and control settings to complete one self-assessment/attestation survey for every setting type that they own, operate and control. The information gathered through this survey is being used to assist KDADS to assess existing systems for compliance with the new final rule and determine the next steps for the onsite assessment plan. The survey will be completed by June 16, 2015.

The survey will identify the degree to which individual settings for persons on HCBS waivers meet expectations of the Final Rule. Those settings that did not complete the required assessment and/or are deemed to need further assessment by KDADS will engage in an onsite review for the purpose of determining if changes are required to meet Final Rule standards.

Purpose:

The purpose of this charter is to outline steps and expectations for development of the onsite assessment process and tool. KDADS will host a series of meetings to develop an assessment process and tool to determine the following: (a) what changes are required for individual settings to meet requirements, (b) elements for the design of the assessment tool, (c) process for conducting the onsite assessment, and (d) process for HCBS settings to submit evidence of compliance with the Final Rule. The workgroup will submit a plan to KDADS to address needed remediation including an expected timeline for required changes.

Process:

Wichita State University Center for Community Support and Research (CCSR) will facilitate a series of meetings to design the onsite review process and tool. KDADS HCBS staff will assist in designing the sessions and invite key stakeholders to participate. Stakeholders to be invited include assisted living, residential, adult day care, nursing home, adult care home and residential health care providers. The group will also include persons served and formal and informal caretakers. Membership will not exceed 15 stakeholders external to KDADS and will target individuals not currently represented on other KDADS workgroups. This group will constitute the HCBS Final Rule Onsite Assessment Tool Workgroup (HCBS OA Workgroup). The OA Workgroup will provide recommendations for the onsite assessment and process. These recommendations will be subject to public comment and the final approval of KDADS and CMS.

It is expected that the full Workgroup will meet for 4 hours, three times between June 29th and August 12th in Topeka. Study groups will meet between Workgroup meetings as needed. The process will begin in June 2015 with initial recommendations completed by August 21, 2015. The group may reconvene after that date to review public comments and feedback from CMS for the purpose of making further recommendations. Following completion of

this task, members may be selected to serve on a workgroup to determine remediation and compliance rules.

Support:

CCSR and KDADS will provide meeting locations in Topeka for the workgroup meetings. CCSR will provide meeting agendas and meeting notes. Workgroup members are responsible for travel costs and other related expenses. KDADS and CCSR can provide e-conference support for study groups. If the cost of participation is prohibitive for stakeholders who represent persons served, they may request approval of a stipend to cover estimated expenses from KDADS in advance of meeting attendance.

Tasks and Timeline:

Timeline	Task	Responsible Parties
<i>By June 9, 2015</i>	<i>Revise/approve charter</i>	<i>KDADS</i>
<i>By June 9, 2015</i>	<i>Confirm dates and locations for meetings</i>	<i>KDADS and CCSR</i>
<i>By June 15, 2015</i>	<i>Invite participants</i>	<i>KDADS</i>
<i>By June 26, 2015</i>	<i>Complete survey report one page summary and preliminary review of onsite assessments from other states for use by the Workgroup</i>	<i>CCSR</i>
<i>June 29, 2015</i>	<i>First meeting of full Workgroup at location TBD. Review charter and reports, finalize tasks and steps, establish study groups and their deliverables for July</i>	<i>KDADS, CCSR and Workgroup</i>
<i>July 2015</i>	<i>Subgroups meet as needed in person and by e-meetings</i>	<i>Subgroups</i>
<i>July 29, 2015</i>	<i>Second meeting of full Workgroup at location TBD</i>	<i>KDADS, CCSR and Workgroup</i>
<i>August 2015</i>	<i>Subgroups meet as needed in person and by e-meetings</i>	<i>Subgroups</i>
<i>August 12, 2015</i>	<i>Final meeting of full Workgroup this stage at location TBD</i>	<i>KDADS, CCSR and Workgroup</i>
<i>August 21, 2015</i>	<i>Final “qualified” recommendations submitted to KDADS</i>	<i>Workgroup</i>

Members:

Final list of Workgroup members:

Kimberly Pierson, KDADS
 Ashley Kurtz, KDADS
 John Barry, KDADS
 Greg Wintle, KDADS
 Laura Leistra, KDADS
 Pam McDiffett, KDADS
 Ryan Gonzales, KDADS
 Kimberly Clare, KDADS
 Mary MacBain, Parent
 Sandra Andrews, Family Member
 Helen Cherry, Medicalodges, Inc.
 Cori Huxman, LifeSpan Care Management Services, LLC
 Ramona Macek, Easter Seals Capper Foundation
 Katrina Ostmeier, Integrated Behavioral Technologies, Inc.
 Jody Patterson, COMCARE of SG County
 Anthony Fadale, DCF
 Mary Cole, DCF

Chris Gafford, MCDS

Jennifer Pileus, Maxim Healthcare Services

Patty Gerdel, Life Patterns, Inc.

Rachel Monger, Leading Age Kansas

Linda Mowbray, KHCA/KCAL

Robert Cooper, KCDHH

Fran Seymour-Hunter, KDHE